

FOR THE MIDDLE DISTRICT OF ALABAMA

NORTHERN DIVISION

LARRYIE EARL JONES, JR.

PETITIONER,

V.

ANTHONY CLARK,

RESPONDENTS

CIVIL ACTION No. 2:05-CV-701-F

MOTION TO AMEND EXCEPTIONAL CIRCUMSTANCES

COMES NOW THE PETITIONER LARRYIE EARL JONES, JR., SE AND
MOVES THE HONORABLE COURT TO TAKE IMMEDIATE ACTION
TO EXCEPTIONAL CIRCUMSTANCES OF THIS AMEND, AND
THEREFORE STATES THE FOLLOWING GROUNDS;

1. RESPONDENTS, FILED AN ANSWER AND SUPPLEMENTAL ANSWER
ADDRESSING THE CLAIMS FOR RELIEF PRESENTED IN THE INSTANT
28 U.S.C. 2241 HABEAS CORPUS PETITION. (Doc. Nos. 11, 18) FILED
ON 22 DAY OF SEPTEMBER, 2005.
2. PETITIONER WAS ORDER TO FILE ON OR BEFORE NOVEMBER 28,
2005, A RESPONSE TO RESPONDENTS' ANSWER AS SUPPLEMENTED,
PETITIONER RESPECTFULLY SUBMITTED ON THE 22 DAY OF NOV, 05
HIS SWORN AFFIDAVITS AND DOCUMENTS IN WHICH DEMONSTRATE
THAT HE'S IS ENTITLED TO RELIEF ON GROUNDS PRESENTED
IN THE HABEAS CORPUS PETITION.

3. REASON FOR EXCEPTIONAL CIRCUMSTANCES.

- A. PETITIONER FILE A MOTION TO AMEND TO ADDRESS TO THIS COURT, THAT THE STATE COURT DENIED HIS 17 MONTHS 20 DAYS JAIL CREDIT, HE WAS ALLOW TO WITHDRAW GUILTY PLEA ON 12-1-05, THE COURT ORDER ALL STATE CHARGES BE REINSTATED AND PETITIONER TO REMAIN IN CUSTODY UNTIL TRIAL, WITHOUT AN BAIL, PETITIONER RESPECTFULLY SUBMITTED THIS MOTION TO AMEND, THE 16 DAY OF DEC, 2005, PETITIONER HAS NOT YET GOT ANY RESPONSE FROM THIS COURT ON THE MOTION.
- B. THE RESPONDENTS SENT PETITIONER TO KILBY CORRECTIONAL FACILITY. ON JAN, 3, 2006, PETITIONER IS HELD UNLAWFUL HE'S NOT AN STATE INMATE HE NEVER HAD ANY TRIAL
- C. THE PETITIONER HAS NOT YET ADJUDGED GUILTY OF ANY CRIME, HE REQUESTS A IMMEDIATE RELEASE FROM PRISON HE FEAR FOR HIS LIFE, HE REQUESTS A SPEEDY HEARING HELD BY FEDERAL COURT IT IS THE STATE COURT TO BLAME, AND THE RESPONDENT'S FOR OPPRESSIVE PRETRIAL INCARCERATION OF 17 MONTHS AND 20 DAYS AT THE COVINGTON COUNTY JAIL, AND 9 DAYS AT KILBY CORRECTIONAL FACILITY SO FAR, PETITIONER REQUEST IMMEDIATE RELEASE PLEASE HURRY, PETITIONER IS UNLAWFUL IMPRISONMENT WITHOUT BEEN ADJUDGED GUILTY OF ANY CRIME, IT IS NECESSARY FOR AN EVIDENTIARY HEARING IMMEDIATELY, BECAUSE RESPONDENTS HAS NO RIGHTS TO SEND PETITIONER TO KILBY CORRECTIONAL FACILITY ON JAN, 3, 2006.

- 3
- D. WHY did THE RESPONDENTS SENT PETITIONER TO KILBY?
- E. WHY did THE RESPONDENTS DENIED PETITIONER SPEEDY TRIAL?
- F. WHY WAS PETITIONER BAIL DENIED? IN CC-2003-187-418-419
- G. WHY WAS PETITIONER BAIL IN CC-2004-347 SO EXCESSIVE \$200,000?
- H. WHY WAS PETITIONER HELD IN COVINGTON COUNTY ^{JAIL} 17 MONTHS AND 20 DAYS?
- I. WHAT REASON TO HOLD PETITIONER IN KILBY?
- J. CAN THIS BE DENIED OF DUE PROCESS? YES

4. PETITIONER DEMANDS END OF JUSTICE, A FEDERAL TRIAL JUDGE CLEARLY HAS THE POWER, AND IF ENDS OF JUSTICE IS DEMAND, THE DUTY TO REACH THE MERITS IN PROCEEDING FOR FEDERAL COLLATERAL RELIEF, PETITIONER REQUESTS UPON THIS AMEND AND PRAYS THAT THIS HONORABLE COURT WILL GRANT THIS AMEND AND ORDER A IMMEDIATE RELEASE FROM HIS UNLAWFUL IMPRISONMENT AT THE EARLIEST POSSIBLE TIME.

RESPECTFULLY SUBMITTED THIS THE 10 DAY OF JAN 2006.

Sargis Earl Jones

SIGNATURE OF PETITIONER

I DECLARE UNDER PENALTY OF PER JURY THAT THE ABOVE AMEND IS TRUE AND CORRECT. 1-10-06 Sargis Earl Jones

DATE SIGNATURE OF PETITIONER
CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON THIS 10 OF JAN, 2006, I SERVED A COPY OF THE FOREGOING AMEND ON THE ATTORNEY GENERAL, BY PLACING THE SAME IN THE UNITED STATES MAIL, FIRST CLASS. Sargis Earl Jones

SIGNATURE OF PETITIONER